

EXHIBIT 4

muhammed

IN THE HIGH COURT OF JUSTICE
COMMERCIAL DIVISION (1)
ACCRA A.D. 2019

SUIT NO. CM/RPC/0641/18

FORTUNE GLOBAL SHIPPING & LOGISTICS LTD
15 FATAI IRAWO STREET
AJAWO ESTATE, LAGOS STATE, NIGERIA

PLAINTIFF

VRS

1. THE VESSEL DLB SEA HORIZON ----- DEFENDANTS

2. THE MASTER OF THE VESSEL DLB SEA HORIZON

3. THE OWNERS OF THE VESSEL DLB SEA HORIZON

4. CONSOLIDATED SHIPPING AGENCIES
(CONSHIP) (AGENTS)
PLOT NOS. 21/22 COMMERCIAL WATERHOUSE
AREA, P. O. BOX CT 2491, ACCRA - GHANA

5. RANGER SUBSEA NIGERIA LTD
D93 LANDBRIDGE AVENUE, ONIRU ESTATE
VICTORIA ISLAND, LAGOS STATE, NIGERIA

6. SUNTX CAPITAL
TWO-LINCOLN CENTRE SUITE 1000
5420 LBJ FREEWAY
DALLAS TEXAS 7520, USA

7. RANGER OFFSHORE USA INC
10370 RICHMOND AVENUE,
SUITE 1000, HOUSTON TEXAS 77042, USA

8. RANGER INTERNATIONAL LTD
10370 RICHMOND AVENUE,
SUITE 1000, HOUSTON TEXAS 77042, USA

9. TECHNIXS OIL FIELD SUPPORT LTD
TECHNIXS BASE BESIDE NBTC,
OWIAN OFF WARRI ALADJA EXPRESSWAY,
OWIAN WARRI, DELTA STATE, NIGERIA

10. WAG SPV 1
5420 LBJ FREEWAY 1000,
DALLAS, TEXAS, USA

11. RANGER INTERNATIONAL LIMITED
AJELTAKE ROAD, AJELTAKE ISLAND,
COMPANY COMPLEX, MARSHALL ISLANDS

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Registers
COMMERCIAL DIVISION OF THE
HIGH COURT, ACCRA

PLEASE TAKE NOTICE that the 1st, 2nd 3rd and 10th Defendants herein have this day appointed Daniel Kofi Ameley Esq. as their Solicitor for this case and his address for service is as follows:-

D.K. AMELEY & ASSOCIATES
SUITE A1 3RD FLOOR
TDC TOWERS
COMMUNITY 2, TEMA

DATED AT D.K. AMELEY & ASSOCIATES, SUITE A1 3RD FLOOR, TDC TOWERS,
COMM. 2, TEMA, THIS 24TH DAY OF JANUARY, 2019

D.K. AMELEY & ASSOCIATES
SUITE A1 3RD FLOOR
TDC TOWERS
COMMUNITY 2, TEMA
SOLICITOR FOR 1ST 2ND 3RD & 10TH DEFENDANTS
LICENCE NO. GAR/20718/19
TIN NO. C0008578389 /
P0004297199

The Registrar
High Court
Commercial Division
Accra

And To:

1. The Plaintiff or its Solicitor, Dr. Kofi Mbiah (Esq.), Alliance Partners, SSNIT Pension House, Tower Block (2nd & 4th Floor), Accra.
2. The 4th Defendant or their Solicitor, Esine Okudzeto Esq. Sam Okudzeto & Associates, Sena Chambers, 1st Floor, Total House, Liberia Road, Accra.

mohammed

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AJELTAKE ROAD, AJELTAKE ISLANDS
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COMMERCIAL DIVISION OF THE
HIGH COURT, ACCRA

STATEMENT OF DEFENCE FILED ON BEHALF OF THE 1ST, 2ND, 3RD & 10TH DEFENDANTS

1. The 1st, 2nd, 3rd, 4th and 10th Defendants are not in a position to admit or deny the averments in **paragraph 1** of the Statement to Claim, the Plaintiff is nonetheless put to strict proof of all the averments therein contained.
2. Except that the 1st Defendant is a motor vessel with an IMO registration number 875-9114, which at the time the same was arrested was lying at the Naval Base, Sekondi / Takoradi within the jurisdiction of this court, the 1st, 2nd, 3rd, 4th and 10th Defendants (hereinafter referred to as Defendants) vehemently deny all the averments of fact contained in **paragraph 2** of the Statement of Claim and put the Plaintiff to strict proof of the same. In specific denial of the said averments, the Defendants say that the registered and beneficial owners of the 1st Defendant vessel is the 10th Defendant.
3. Except that the 2nd Defendant is the Captain on board the vessel, and the 4th Defendant is the registered agent of the 1st Defendant in Ghana, the averments in **paragraphs 3 & 4** of the Statement of Claim are admitted.
4. The 10th Defendant vehemently denies the averments in **paragraph 5** of the Statement of Claim and put the Plaintiff to strict proof of the averments therein contained. In further denial of the said averments, the Defendants aver that the vessel DLB Sea Horizon is solely owned by WAG SPV 1. In further denial of the said averments, the Defendants say that the 5th Defendant does not, and has not for all the time relevant to this suit represented the Defendants herein.
5. In further denial of the averments in **paragraph 5** of the Statement of Claim, the Defendants aver that they have neither engaged and / or authorized the 5th Defendant to supply and / or engage in any of the services stated in the said paragraph, or to perform for the benefit of the 1st Defendant vessel such services, and / or that any such services were performed for the benefit of the 1st Defendant vessel, or at all.
6. The Defendants vehemently deny all the averments in **paragraph 6** of the Statement of Claim and put the Plaintiff to very strict proof of the averments contained therein.
7. The Defendants deny all the averments in **paragraph 7** of the Statement of Claim and specifically deny that any service of a demand to pay any indebtedness has ever been served on any of them.
8. The Defendants deny all the averments in **paragraph 8** of the Statement of Claim and say in further denial of the same that they have not seen any demand notice on the alleged indebtedness and they have also not admitted the alleged indebtedness. The Plaintiff is therefore put to strict proof of all the averments.

9. The averments in **paragraph 9** of the Statement of Claim are denied to the extent that the 1st Defendant owed the Plaintiff at the time that it docked at Sekondi Naval Base, or at all.
10. The 2nd & 4th Defendants are not proper parties to this suit and the Defendants will in the course of this suit apply for their names to be struck out.
11. The Defendants aver that the arrest of the 1st Defendant vessel is wrongful and the same is without basis either in law or in equity and the same has caused the 1st & 10th Defendants huge loss of earning.
12. Save and except facts herein before expressly admitted, the 1st, 2nd, 3rd, 4th and 10th Defendants deny each and every material allegation of fact contained in the Statement of Claim as if each had been set out in extensor and denied *seriatim*.

COUNTER CLAIM

AND BY WAY OF COUNTER CLAIM, the 1st Defendant repeats all the averments in **paragraphs 1 – 11** of the Statement of Defence and counter-claims against the Plaintiff as follows:-

- I. Damages for wrongful arrest.
- II. Costs.

DATED AT D.K. AMELEY & ASSOCIATES, SUITE A1, 3RD FLOOR, TDC TOWERS, COMMUNITY 2, TEMA, THIS 24TH DAY OF JANUARY, 2019.

SOLICITOR FOR 1ST, 2ND, 3RD & 10TH DEFENDANTS
D.K. AMELEY & ASSOCIATES
SUITE A1 3RD FLOOR
TDC TOWERS
LICENCE NO. GAR/20718/19
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2. The 4th Defendant or their Solicitor, Esine Okudzeto Esq. Sam Okudzeto & Associates, Sena Chambers, 1st Floor, Total House, Liberia Road, Accra.